

SEP 14 2005

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INTELLECTUAL PROPERTY LAW**FACSIMILE TRANSMITTAL SHEET**

<b>TO:</b> Examiner J. Kavanaugh	<b>FROM:</b> Byron S. Kuzara
<b>COMPANY:</b> U.S.P.T.O.	<b>DATE:</b> September 14, 2005
<b>FAX NUMBER:</b> 571-273-8300	<b>TOTAL NO. OF PAGES:</b> 3
<b>RE:</b> U.S. Serial No. 10/767,211	<b>OUR REFERENCE NO.:</b> 005127.00275

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<b>NAME:</b> Lesa Wolman	<b>PHONE:</b> 503-425-6800
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**COMMENTS:**

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I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office at telephone number (571) 273-8300 on September 14, 2005.

Respectfully submitted,

By: Byron S. Kuzara  
Registration Number 51,255  
Banner & Witcoff, Ltd.

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Frederick J. DOJAN, et al.

Serial Number 10/767,211

Filed: January 28, 2004

For: ARTICLE OF FOOTWEAR HAVING A  
FLUID-FILLED BLADDER WITH A  
REINFORCING STRUCTURE

)  
) Art Unit: 3728

)  
) Examiner: Kavanaugh, J.

)  
) Attorney Reference: 005127.00275

**ELECTION OF SPECIES**

Commissioner for Patents  
Alexandria, VA 22313

Sir:

In response to the Election of Species Requirement mailed August 31, 2005, the Applicants elect Species I: Figures 1-11 and submit that claims 1-9, 11-15, 18-20, 24-31, 34-42, 46-76, 80-88, and 91-109 are readable thereon. Claims 10, 16-17, 21-23, 32-33, 43-45, 77-79, and 89-90 are, therefore, withdrawn from further consideration. This election is made without traverse.

The Applicants respectfully request that claims 10, 16-17, 21-23, 32-33, 43-45, 77-79, and 89-90 be considered if generic independent claims are allowed. In addition, the Applicants reserve the right to file divisional applications to concepts recited in the withdrawn claims.

This Election of Species is being timely filed by facsimile transmission on September 14, 2005. Should fees or an extension of time be deemed necessary for consideration of this Election of Species, such fees or extension are hereby requested and the Commissioner is authorized to charge deposit account number 19-0733 for payment. If anything further is desired, the Examiner is respectfully requested to telephone the undersigned representative at (503) 425-6800.

Respectfully submitted,

By: Byron S. Kuzara  
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Dated: September 14, 2005